

FISCAL NOTE

SB 3021 - HB 2961

March 2, 2004

SUMMARY OF BILL:

- Creates a Class E felony of furnishing alcohol to a minor knowing that person is a minor and knowing the minor intends to consume alcohol where violation proximately results in the minor's intoxication and serious bodily injury to the minor or another.
- Creates a Class D felony involving the same conduct but which proximately results in the death or a minor or another.
- Adds affirmative defense that defendant reasonably believed the minor was 21.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$20,000/Incarceration*

Decrease Local Govt. Expenditures - Not Significant

Decrease Local Govt. Revenues - Not Significant

Estimate assumes:

- two offenders who had been convicted of a Class A misdemeanor offense for furnishing alcoholic beverage to a minor will be convicted of a Class E felony when the minor's intoxication proximately results in serious bodily injury to the minor or another.
- one offender who had been convicted of a Class A misdemeanor for furnishing alcoholic beverage to a minor will be convicted of a Class D felony when the minor's intoxication proximately results in the death of the minor or another.
- a decrease in local government expenditures and revenues for those persons convicted of a Class A misdemeanor that under the bill will be convicted of a felony.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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